

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: OWENS, Gary K., et al.

Application No. Not Yet Assigned

Filed: April 17, 2001

For: COMPOSITIONS AND METHODS FOR MODULATING EXPRESSION
WITHIN SMOOTH MUSCLE CELLSAssistant Commissioner for Patents
Washington, D.C. 20231

STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(c-f) and 1.27(b-d))

With respect to the invention described in the specification filed herewith.

I. IDENTIFICATION AND RIGHTS AS A SMALL ENTITY

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

University of Virginia Patent Foundation
1224 West Main Street, Suite 1-110
Charlottesville, VA 22903

TYPE OF ORGANIZATION:

Tax Exempt Under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3)) and that the nonprofit organization identified above qualifies as a nonprofit organization, as defined in 37 CFR 1.9(e), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code.

II. OWNERSHIP OF INVENTION

I hereby state that rights under contract or law remain with and/or have been conveyed to the above identified

EXCEPT, that if the rights held are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held (1) by any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, (2) any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or (3) a nonprofit organization under 37 CFR 1.9(e).


No such person, concern, or organization exists.

III. ACKNOWLEDGEMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

IV. SIGNATURE

April 17, 2001


John P. Breen, In-House Counsel
In-House Patent Counsel
University of Virginia Patent Foundation

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. Section 119(e))

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

FILING DATE

60/105,330

October 23, 1998

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

PCT/US99/24972

October 22, 1999

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)

REGISTRATION NUMBER(S)

John P. Breen

38,833

Robert J. Decker

44,056

Robert S. MacWright

32,425

③

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:

John P. Breen
1224 West Main Street, Suite 1-110
Charlottesville, VA 22903
US

John P. Breen
804-243-6103

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Gary K. Owens
Inventor's signature *Gary K. Owens* Date 4/13/01
Country of Citizenship US
Residence Earlysville, VA US
Post Office Address P. O. Box 472, Earlysville, VA 22936

2-00
Christopher Mack
Inventor's signature *Christopher Mack* Date 4/16/01
Country of Citizenship US
Residence ~~Charlottesville, VA US~~ Chapel Hill, NC US NC
Post Office Address ~~3037 Colonial Drive, Charlottesville, VA 22911 US~~
101 BURLWOOD PLACE, CHAPEL HILL, NC 27516 US

Randall Blank
Inventor's signature _____ Date _____
Country of Citizenship US
Residence Charlottesville, VA US
Post Office Address 3385 Martin Kings Road, Charlottesville, VA 22902 US

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Inventor's signature _____ Date _____

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Residence Charlottesville, VA US

Post Office Address 3037 Colonial Drive, Charlottesville, VA 22911 US

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Randall Blank

Inventor's signature Randall S. Blank Date 4/16/01

Country of Citizenship US

Residence Charlottesville, VA US ✓ A

Post Office Address 3385 Martin Kings Road, Charlottesville, VA 22902 US

COMBINED DECLARATION AND POWER OF ATTORNEY
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,
DIVISIONAL, CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for a national stage of PCT application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

COMPOSITIONS AND METHODS FOR MODULATING EXPRESSION WITHIN SMOOTH MUSCLE CELLS

SPECIFICATION IDENTIFICATION

The specification was described and claimed in PCT International Application No. PCT/US99/24972 filed on October 22, 1999.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56.

Practitioner's Docket No. 00148-03

PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,
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